

# Senate Amendment 5057

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1 1 Amend Senate File 2350 as follows:  
1 2 #1. Page 2, by inserting after line 2, the  
1 3 following:  
1 4 <\_\_\_\_. "Hunting preserve" means a hunting preserve  
1 5 as regulated by the department of natural resources  
1 6 pursuant to chapter 484B.>  
1 7 #2. Page 3, line 13, by striking the word <A> and  
1 8 inserting the following:  
1 9 <1. Except as provided in subsection 2, a>.  
1 10 #3. Page 3, line 15, by striking the figure <1.>  
1 11 and inserting the following: <a.>  
1 12 #4. Page 3, line 17, by striking the word <a.> and  
1 13 inserting the following: "(1)".  
1 14 #5. Page 3, line 20, by striking the word <b.> and  
1 15 inserting the following: <(2)>.  
1 16 #6. Page 3, line 22, by striking the word  
1 17 <subsection> and inserting the following: <paragraph  
1 18 "a">.  
1 19 #7. Page 3, line 23, by striking the figure <2.>  
1 20 and inserting the following: <b.>  
1 21 #8. Page 3, line 26, by striking the word <a.> and  
1 22 inserting the following: <(1)>.  
1 23 #9. Page 3, line 30, by striking the word <b.> and  
1 24 inserting the following: <(2)>.  
1 25 #10. Page 3, by inserting after line 33, the  
1 26 following:  
1 27 <2. A person may deem a swine of unknown status as  
1 28 feral swine if the feral swine is within a hunting  
1 29 preserve or has escaped from a hunting preserve.>  
1 30 #11. Page 5, line 7, by striking the word and  
1 31 figure <1. A> and inserting the following: <1. a.  
1 32 Except as provided in paragraph "b", a>.  
1 33 #12. Page 5, line 8, by striking the word <a.> and  
1 34 inserting the following: <(1)>.  
1 35 #13. Page 5, line 9, by striking the word <b.> and  
1 36 inserting the following: <(2)>.  
1 37 #14. Page 5, line 11, by striking the word <c.>  
1 38 and inserting the following: <(3)>.  
1 39 #15. Page 5, by inserting after line 12, the  
1 40 following:  
1 41 <b. A person shall only maintain the custody or  
1 42 control of a feral swine on land which is part of a  
1 43 hunting preserve.>  
1 44 #16. Page 8, by striking lines 11 through 27, and  
1 45 inserting the following:  
1 46 <Sec. \_\_\_\_\_. Section 484B.1, Code 2005, is amended  
1 47 by adding the following new subsection:  
1 48 NEW SUBSECTION. 3A. "Feral swine" means the same  
1 49 as defined in section 171.1.  
1 50 Sec. \_\_\_\_\_. Section 484B.4, subsection 2, Code 2005,  
2 1 is amended by adding the following new paragraph:  
2 2 NEW PARAGRAPH. f. If a person has been issued a  
2 3 license to operate a hunting preserve where feral  
2 4 swine are maintained, information regarding the feral  
2 5 swine as required by the department, including but not  
2 6 limited to the greatest number of feral swine that may  
2 7 be maintained on the preserve, and other information  
2 8 required to ensure compliance with special  
2 9 requirements as provided in section 484B.12A.  
2 10 Sec. \_\_\_\_\_. Section 484B.4, subsection 3, Code 2005,  
2 11 is amended to read as follows:  
2 12 3. a. All licenses issued to persons to operate  
2 13 hunting preserve operator's licenses shall expire  
2 14 preserves expire on March 31 of each year.  
2 15 b. A person shall not be issued a license to  
2 16 operate a hunting preserve where feral swine are  
2 17 maintained unless all of the following apply:  
2 18 (1) The person maintained feral swine on the  
2 19 hunting preserve on the effective date of this Act.  
2 20 (2) The person maintained feral swine on the  
2 21 hunting preserve on the date that the person's  
2 22 previous license expired.  
2 23 Sec. \_\_\_\_\_. Section 484B.5, Code 2005, is amended to  
2 24 read as follows:

2 25 484B.5 BOUNDARIES SIGNED == FENCED.  
2 26 1. Upon receipt of a hunting preserve license, the  
2 27 licensee shall promptly ~~sign post~~ the licensed  
2 28 property with signs informing the public that the  
2 29 licensed property is a hunting preserve. If the  
2 30 licensed property may include feral swine, each sign  
2 31 must conspicuously notify the public that the licensed  
2 32 land may include feral swine. The signs shall be  
2 33 provided for in a manner prescribed by the department.

2 34 2. A licensee holding and releasing ungulates  
2 35 shall construct and maintain boundary fences  
2 36 prescribed by the department so as to enclose and  
2 37 contain all released ungulates and exclude all  
2 38 ungulates which are property of the state from  
2 39 becoming a part of the hunting preserve enterprise.  
2 40 The department of natural resources, in consultation  
2 41 with the department of agriculture and land  
2 42 stewardship, may provide special requirements for the  
2 43 construction and maintenance of boundary fences which  
2 44 confine feral swine.

2 45 Sec. \_\_\_\_\_. Section 484B.12, Code 2005, is amended  
2 46 to read as follows:

2 47 484B.12 HEALTH REQUIREMENTS == UNGULATES.  
2 48 1. ~~All ungulates~~ An ungulate which are is  
2 49 purchased, propagated, confined, released, or sold by  
2 50 a licensed hunting preserve shall be free of ~~diseases~~  
3 1 any disease considered significant for wildlife,  
3 2 poultry, or livestock.

3 3 2. The department of agriculture and land  
3 4 stewardship shall provide for the regulation of farm  
3 5 deer as provided in chapter 170.

3 6 3. The department of agriculture and land  
3 7 stewardship may provide for the certification of feral  
3 8 swine maintained on the licensed property as provided  
3 9 in section 484B.12A.

3 10 Sec. \_\_\_\_\_. NEW SECTION. 484B.12A SPECIAL  
3 11 REQUIREMENTS FOR MOVING, RELOCATING, OR MAINTAINING  
3 12 FERAL SWINE.

3 13 1. As used in this section, unless the context  
3 14 otherwise requires:

3 15 a. "Move" or "movement" means to ship, transport,  
3 16 or deliver swine by land, water, or air, except that  
3 17 "move" or "movement" does not mean a relocation.

3 18 b. "Relocate" or "relocation" means to ship,  
3 19 transport, or deliver swine by land, water, or air,  
3 20 from one hunting preserve to a different hunting  
3 21 preserve, if the ownership of the swine does not  
3 22 change, the two hunting preserves are located within  
3 23 the state, and the shipment, transportation, or  
3 24 delivery between the two hunting preserves occurs  
3 25 within the state.

3 26 2. Swine shall be deemed to be feral swine if the  
3 27 swine is moved or relocated to or from a hunting  
3 28 preserve or maintained on land which is a hunting  
3 29 preserve under this chapter.

3 30 3. a. A person licensed under this chapter may  
3 31 move or relocate feral swine on land which is a  
3 32 hunting preserve. The feral swine must be all of the  
3 33 following:

3 34 (1) Accompanied by a certificate of veterinary  
3 35 inspection as provided in section 163.30.

3 36 (2) Segregated from other animals.

3 37 (3) Secured in a manner that prevents escape.

3 38 b. The department of agriculture and land  
3 39 stewardship may require that the feral swine be  
3 40 certified prior to relocation as required in this  
3 41 section.

3 42 c. A person licensed under this chapter shall not  
3 43 move feral swine on or after January 1, 2008.

3 44 4. A person licensed under this chapter may  
3 45 maintain feral swine on land which is a hunting  
3 46 preserve, subject to all of the following:

3 47 a. The person may be required to construct and  
3 48 maintain fences pursuant to section 484B.5 which  
3 49 conform to special requirements established by the  
3 50 department of natural resources in consultation with  
4 1 the department of agriculture and land stewardship.  
4 2 The special requirements shall ensure that the feral  
4 3 swine do not escape.

4 4 b. The feral swine may be required to be certified  
4 5 or recertified by the department of agriculture and

4 6 land stewardship in consultation with the department  
4 7 of natural resources. The certification may provide  
4 8 that feral swine react negatively to tests for  
4 9 contagious or infectious diseases as provided in  
4 10 chapter 163. The department of agriculture and land  
4 11 stewardship or a veterinarian approved by the  
4 12 department may do all of the following:  
4 13 (1) Provide for the testing of each feral swine or  
4 14 a statistical sampling of the feral swine as required  
4 15 by the department of agriculture and land stewardship.  
4 16 (2) Require that a feral swine be segregated for  
4 17 any period until the swine is certified.  
4 18 5. The department of natural resources in  
4 19 cooperation with the department of agriculture and  
4 20 land stewardship may order the quarantine or  
4 21 destruction of an ungulate which is suspected of being  
4 22 afflicted or carrying a contagious or infectious  
4 23 disease which originates with a feral swine. The  
4 24 department of natural resources in cooperation with  
4 25 the department of agriculture and land stewardship may  
4 26 also provide for the depopulation of the ungulates.  
4 27 6. Chapter 171 shall apply to a feral swine which  
4 28 escapes from a hunting preserve. The person licensed  
4 29 pursuant to this chapter shall be the responsible  
4 30 party having lost custody or control of the feral  
4 31 swine as provided in that chapter.>  
4 32 [#17](#). Page 8, by inserting after line 34, the  
4 33 following:  
4 34 <Sec. \_\_\_\_\_. EFFECTIVE DATE. This Act, being deemed  
4 35 of immediate importance, takes effect upon enactment.>  
4 36 [#18](#). Title page, line 1, by striking the word  
4 37 <and>.  
4 38 [#19](#). Title page, line 2, by inserting after the  
4 39 word <penalties> the following: <, and providing an  
4 40 effective date.>  
4 41 [#20](#). By renumbering as necessary.  
4 42  
4 43  
4 44  
4 45 EUGENE S. FRAISE  
4 46 SF 2350.701 81  
4 47 da/gg/5014